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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/718,576	11/24/2003	Hyuncheol Park	Q76060	1229
23373 7590 08/08/2007 SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			EXAMINER CHANNAVAJALA, SRIRAMA T	
			ART UNIT 2166	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/718,576

Applicant(s)

PARK, HYUNCHEOL

Examiner

Srirama Channavajjala

Art Unit

2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date: _____   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### **Response to Amendment**

1. Claims 1-15 are presented for examination.
2. Examiner acknowledges applicant's amendment filed on 5/23/2007.
3. Claims 1,2,5 have been amended 5/23/2007.
4. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed on 1/19/2007 in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 18 January 2007 has been entered, a non-final office action mailed on 2/23/2007.
5. Claims 1-4,8,15 have been amended [1/19/2007].
6. Examiner acknowledges applicant's response filed on 10/3/2006.

### ***Drawings***

7. The Drawings filed on 11/24/2003 are acceptable for examination purpose

***Information Disclosure Statement***

8. The information disclosure statement filed on 8/12/2004, 6/30/2005 is in compliance with the provisions of 37 CFR 1.97, and has been considered and a copy is enclosed with this Office Action.

***Priority***

9. Acknowledgment is made of applicant's claim for foreign priority based on Korean Patent Application No. 10-2003-0007725 filed on 7 February 2003 under 35 U.S.C. 119(a)-(d), the certified copy has been filed with the Application No. 10/718,576, filed on November 24,2003.

***Claim Rejections - 35 USC § 112***

10. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

***11. Claims 1-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.***

12. The metes and bound of the system steps of claim 1 are unclear. The steps of "an emotion map which represents....."; "at least one of an emotion analysis module and condition analysis module....."are indefinite as they lack concrete active limitations

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as to how the steps are to be accomplished. One of skill in the art would not be able to determine what exactly must be done to accomplish the goal of the preamble. It is unclear how the "emotion/condition analysis" is being done.

13. The limitation of claim 2 does not appear to further limit the system of claim 1. It is unclear what is meant by "emotion map process"

14. It is unclear where to add the limitations of claim 3 to the system of claim 1. It is unclear what is meant by "emotion map and information related to the generation events..." by this limitation. Claim 1 recites "emotion analysis module and condition analysis module....emotion map is processed via said at least one of the motion analysis module and condition analysis module".

15. In claim 4, it is unclear what "user's emotion and condition information".....?. further in claim 3, it is unclear what specific "emotion and relation condition information" causes generating events.

16. The steps of claim 5 do not meet the goal of the preamble of the independent claim 1. Claim 5 appears circular in nature. One must question the "at least one of the emotion analysis module and condition analysis..." based on "proximity degree of the coordinate values. What is "proximity degree of the coordinate values"? How is the "predetermined range based on the proximity degree measured"?

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17. Claims 6-7 each depend from claim 5 and contain the same problems.
18. In claim 8, it is unclear what is meant by "determining one of a similarity and difference among the users....predetermined information axes"?
19. In claim 9, it is unclear what is meant by "predetermined coordinate values and information on generation of the events"
20. In claim 10, it is unclear what is meant by "generating events specified previously in accordance with an attribute..." How does one identifies "attribute of a group"?
21. In claim 11, how is "sensor " carried out?. It is unclear which "neighboring environment information measured". Claim 8 recites simply "a community service providing method". The limitation lacks positive active steps to be taken in "measured by a sensor".

Claims 12-15 depend from claim 8 and contain above problems and lacks positive active steps to be taken in the communication service users.

***Claim Rejections - 35 USC § 102***

22. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

***23. Claims 1-15 are rejected under 35 U.S.C. 102(a) as being anticipated by Hamamoto et al. [hereafter Hamamoto], US Pub.No. 2002/0105427 filed on July 16, 2001, and published on Aug 8,2002.***

24. As to claim 1, Hamamoto teaches a system which including 'a community service providing system for providing communication services and events through a wired/wireless network' [Abstract, page 2, col 2, 0035, 0037], Hamamoto is directed to communication apparatus that not only receives information related to feeling or emotions a physical condition, and surroundings of the sender, but also transmits data for example sound data or image data [physical data of surroundings], particularly communication is "bi-directional" for example using cellular phone as detailed in page 2, col 2, 0035,0037, fig 1;

'an input section through which one of emotion and condition information of communication service users is input' [page 2, col 1, 0034, line 1-4,col 2, 0039], Hamamoto specifically teaches communication apparatus allows users to input sound data, image data related to user's feelings or emotions and state of surrounds based on

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sound data, facial expressions movement of body, posture and like as detailed in page 2, 0039, fig 3;

'an emotion map which represents said one of emotion and condition information of the users of the communication service as coordinate values on the basis of predetermined information axes' [page 3, col 1, 0044, col 2, 0049, fig 9 through 14], Hamamoto specifically teaches "emotion map" corresponds to fig 10 though 13 related to emotion and condition information for example pleasant and unpleasant, happy, angry, sad, and like particularly displayed parameter 1 on the axis of ordinate indicates "strength and weakness of emotions for example "stronger in positive direction", similarly parameter 2 on the axis of abscissa indicates "pleasant and unpleasant [more pleasant in positive direction] as detailed in page 3, col 2, 0049, fig 10-13;

'at least one of an emotion analysis module and condition analysis module which generates events corresponding to said one of the emotion and condition information of the users of the communication service based on the emotion map' [page 2, col 1, 0034, line 5-9, page 3, col 2, 0050], Hamamoto specifically teaches emotion/condition analysis module that analyses , extracts, and estimates data indicative of physical, emotional data such as mental state and physiological conditions of the user, further, graph indicating the emotions as detailed in fig 12 with respect to specific parameter or event;

an output section which provides said generated events to said communication service users' [fig 10-13, page 3, 0049-0050], Hamamoto specifically teaches displaying emotions with respect to parameters or events as detailed in fig 10-13.



25. As to claim 2, Hamamoto disclosed 'wherein said output section transmits one of the emotion map and information related to the generation of events to the communication service users' [page 4, col 1, 0059-0060], Hamamoto specifically teaches displaying "emotions" based on physical data of surroundings analyzer element 14 of the receiver 13 as detailed; 'wherein said emotion map is processed via said at least one of the emotion analysis module and condition analysis module' [page 4, col 2, 0063, line 1-7], Hamamoto specifically suggests not only mental state or emotional state but also physiological state is being analyzed based on specific condition or brain wave as detailed in page 4, 0063

26. As to claim 3, Hamamoto disclosed 'wherein the input section maps said one of the emotion and condition information of the communication service users into the emotion map' [page 3, col 1, 0042, col 2, 0051, fig 13-14], Hamamoto specifically teaches displaying various features describing emotion and condition information for example shape of eyes, mouth, anger and like as detailed in fig 13-14

27. As to claim 4, 9, 15, Hamamoto disclosed 'wherein the emotion map allows one of a user's emotion and condition information to be represented as coordinate values based on the predetermined information axes to indicate a predetermined emotion defined by the communication service users' [page 3, col 1, 0044, col 2, 0050, fig 11-12].

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28. As to claim 5, Hamamoto disclosed 'at least one of the emotion analysis module and condition analysis module' [page 3, col 2, 0052],

'a coordinate value comparing unit for measuring a proximity degree of the coordinate values represented on the emotion map, corresponding to said one of the emotion and condition information of the communication service users input through the input section' [page 5, col 1, 0071];

'a coordinate value determining unit for determining at least one of a similarity and a difference between said coordinate values within a predetermined range based on the proximity degree measured by the coordinate value comparing unit' [page 5, col 1, 0072];

'an event generating unit for generating corresponding events in response to a control signal generated by the coordinate value determining unit' [page 5, col 1, 0074, col 2, 0075].

29. As to claim 6, Hamamoto disclosed 'wherein said at least one of the similarity and difference is determined using one of the proximity degree and relative distance between the coordinate values measured by the coordinate value comparing unit' [page 5, col 2, 0077].

30. As to claim 7, Hamamoto disclosed 'wherein the events are determined according to said at least one of the similarity and the difference represented by the

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communication service users, and the events are determined based on the coordinate values indicated on the emotion map' [page 5, col 2, 0078].

31. As to claim 8, Hamamoto teaches a system which including 'a community service providing method, comprising causing one emotion and condition information of communication service users to be input' [fig 1, Abstract, page 2, col 1, 0034, line 1-4, col 2, 0039], Hamamoto specifically teaches communication apparatus allows users to input sound data, image data related to user's feelings or emotions and state of surrounds based on sound data, facial expressions movement of body, posture and like as detailed in page 2, 0039, fig 3;

determining one of a similarity and difference among the users of the communication service to be represented as coordinate values on the basis of predetermined information' [page 3, col 1, 0044, col 2, 0049], Hamamoto specifically teaches known data related to physical state of surroundings both sending and receiving are stored that corresponds to predetermined information, further Hamamoto also teaches similarity and difference users in relation with physical and emotional data of surrounds as detailed in page 3, col 2, 0049;

'generating events in accordance with the determination result' [page 3, col 2, 0052], Hamamoto specifically suggests generating specified parameters that represent various emotions as detailed in page 3, 0052;

'transmitting said generated events to said communication service users' [fig 1, Abstract, 0052-0053].

32. As to claim 10, Hamamoto teaches 'generating the events comprises a step of generating events specified previously in accordance with an attribute of a group to which the communication service users belong' [page 5, col 1, 0068].

33. As to claim 11, Hamamoto teaches 'generating the events comprises a step of selecting an event notification method in accordance with neighboring environment information measured by a sensor provided in a terminal of each of the communication service users' [fig 3-8, page 5, col 2, 0079].

34. As to claim 12, Hamamoto teaches 'wherein said one of the emotion and condition information is information related to coordinates, which move on the emotion map in accordance with a key input by at least one of the communication service users' [page 3, col 1, 0042, col 2, 0049, fig 9 though 14].

35. As to claim 13, Hamamoto teaches 'wherein said one of the emotion and condition information is text information corresponding to at least one type of event required by at least one of the communication service users' [page 1, col 1, 0002, col 2, 0009].

36. As to claim 14, Hamamoto teaches 'wherein said one of the similarity and difference is determined using one of a proximity degree and a relative distance for coordinate values, which are measured based on the coordinate values represented on

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an emotion map, corresponding to said one of the input emotion and condition information of the communication service users' [page 5, col 2, 0077-0078, fig 9-14]

### ***Response to Arguments***

37. Applicant's arguments filed on 5/23/2007 with respect to claims 1-15 have been fully considered but they are not persuasive, for examiner's response, see discussion below:

a) At page 7, claim 3, applicant argues that "said one of the emotion and condition information.....emotion map", applicant submits that this feature describes.....

As to the argument [a], it is unclear how "emotion and condition information of the communication service users into the emotion map" without specifying specific emotion and relation condition information, furthermore, it is also unclear "emotion map and information related to the generation events....., merely using event generating unit" [spec: fig 2, element 135], without defining, and specifying what is "event"

Claim 4 depend from claim 3, is also rejected in the above analysis because what specific emotion and condition information generat[ing] events.

b) At page 8, claim 5, applicant argues that "proximity degree of the coordinate values reflects the nearness of the coordinate values to one another, which is used to

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determine the similarity of difference between coordinate values within a predetermined range" without specifying what is "proximity degree of the coordinate values" are and how it is related to emotion and condition analysis module.

c) At page 8, claim 8, applicant argues that "predetermined axes are, for example, shown in fig 6. For example, one axis can be "I want to be alone" and another axis can be, for example, "I want to meet someone"....

It is unclear from applicant's arguments that how "similarity and difference among the users.....determined", but merely shows "predetermined information"

Similarly examiner applies above arguments to claim 9

d) At page 9, claim 10, applicant argues that event can be for example, a meeting or an automatically sent message. See numbered paragraph 68 specification.

An attribute can be, for example, "I want to meet someone" as set forth in fig 6

As to the above argument [d], as best understood by the examiner, "attribute" related to events is nowhere specified, because in the specification page 16, para 66 Directed to predetermined vents such as reporting the emotion or condition of the user B to the other users or transferring the message for the user B. It is still not clear how "An attribute can be, for example, "I want to meet someone" as set forth in fig 6"

e) At page 10, claim 1, applicant argues that Hamamoto does not teach “an input section through which one of emotion and condition information of communication service users is input”.

As to the above argument [e], examiner disagree with the applicant because, firstly, Hamamoto is directed to communicating and receiving apparatus related to physical and environmental data, more specifically analyzing input data and outputting the respective emotional data [see Abstract, fig 1-2], secondly, Hamamoto specifically teaches not only receiving information related to “feeling or motions” , but also surrounding of the sender for example sound data or image data [page 2, col 2, 0035,0037], it is also noted that Hamamoto specifically suggests communication apparatus allows users to input variety of data such as sound data, image data related to user’s feelings or emotion and state of surroundings based on for example facial expressions, movement of body, posture and like as detailed in page 2, 0039, fig 3.

f) At page 10, claim 1, applicant argues that Hamamoto does not recite “an output section which provides said generated events to said communication service users”.

As to the above argument [f], as best understood by the examiner, Hamamoto teaches user interface that allows users to input data, and displaying emotions with respect to input parameters or events at the output section for example as detailed in

fig 10-13, page 3, 0049-0050, therefore, Hamamoto teaches outputting or displaying information related to events.

g) At page 11, claim 2, applicant argues that Hamamoto does not disclose or suggests an output section for transmitting one of the emotion map processed through the emotion analysis module and/or condition analysis module and information.....

As to the above argument [g], examiner disagree with the applicant because, Hamamoto specifically teaches both sending and receiving information, particularly, displaying "emotions" based on physical data of surrounding analyzer for example analyzer analyzing input data and displaying corresponding output as detailed in fig 10,fig 12, page 4, , 0059-0060

h) At page 11, claim 3, applicant argues that Hamamoto does not disclose or suggest an input section that maps said one of the emotion and condition information....

As to the argument [h], examiner disagree with the applicant because, Hamamoto specifically teaches], displaying various features describing emotion and condition information for example shape of eyes, mouth, anger and like as detailed in page 3, col 1, 0042, col 2, 0051, fig 13-14



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i) At page 11, claim 5, applicant argues that "there is no teaching or suggestion that the proximity degree measured by a coordinate value comparing unit is used to determine a similarity or a difference between the coordinate values".

As to the above argument [I], examiner disagree with the applicant because Hamamoto specifically teaches coordinate values related to various categories of emotions for example relax, usual, nervous and like [page 5, 0071, line 1-3], further, Hamamoto also suggests proximity degree measured for example not more than 90% is judged relax or more than 150% is judged usual and not less than 150% is judged nervous and like related to emotion and condition information as detailed in page 5, 0071, line 5-8.

Examiner applies above arguments to claims 2-7, 9-15 depend from claims 1, 8.

Therefore, applicant's remarks are deemed not to be persuasive, and claims 1-15 are stand rejected under 35 USC 102(b) as being clearly anticipated by Hamamoto et al.

***Conclusion***

***The prior art made of record***

a. US Pub. No. 2002/0105427

38. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Srirama Channavajjala whose telephone number is 571-272-4108. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:30 PM Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alam, Hosain, T, can be reached on (571) 272-3978. The fax phone numbers for the organization where the application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free)

SC  
*Patent Examiner.*  
July 31, 2007.

  
**SRIRAMA CHANNAVAJJALA**  
**PRIMARY EXAMINER**